

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**CHRISTOPHER FAIN,**  
**SHAUNTAE ANDERSON,** individually  
and on behalf of all others similarly situated,

**Plaintiffs,**

**Civil Action No. 3:20-cv-00740  
Hon. Robert C. Chambers, Judge**

**v.**

**WILLIAM CROUCH,** in his official capacity as  
Cabinet Secretary of the West Virginia  
Department of Health and Human Resources;  
**CYNTHIA BEANE,** in her official capacity as  
Commissioner for the West Virginia Bureau for  
Medical Services; **WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN  
RESOURCES, BUREAU FOR MEDICAL  
SERVICES,**

**Defendants.**

**NOTICE OF APPEAL**

Defendants William Crouch, Cynthia Beane, and West Virginia Department of Health and Human Resources, Bureau for Medical Services appeal to the United States Court of Appeals for the Fourth Circuit from the certification of a class and final judgment as set forth in two Memorandum Opinion and Orders entered on August 2, 2022, [ECF Nos. 270, 271] and the Judgment Order entered on August 17, 2022 [ECF No. 273].

**WILLIAM CROUCH,  
CYNTHIA BEANE, and  
WEST VIRGINIA DEPARTMENT OF  
HEALTH AND HUMAN RESOURCES,  
BUREAU FOR MEDICAL SERVICES,  
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RESOURCES, BUREAU FOR MEDICAL  
SERVICES,**

**Defendants.**

**CERTIFICATE OF SERVICE**

Defendants William Crouch, Cynthia Beane and West Virginia Department of Health and Human Resources, by counsel, hereby certify that on the 31<sup>st</sup> day of August, 2022, a true and exact copy of their *Notice of Appeal* was served on counsel via electronic means as follows:

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